

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHAWN BARAHAN FITTS, and
BRANDON CLARON THOMAS,

Defendants.

No. 3:19-CR-75-TLP-DCP

ORDER

This case is before the Court on the Emergency Joint Motion for Unescorted Funeral Furlough [Doc. 372], filed by Defendants Shawn Fitts and Brandon Thomas on October 23, 2020. *See* 28 U.S.C. § 636(b). The Defendants, who are detained pretrial, ask for two unescorted furloughs to attend the funeral and burial services for their mother. They state that the funeral will be on October 28, 2020, at 12:00 p.m., in Douglasville, Georgia. They ask to be released from the Laurel County Detention Center from 2:00 p.m., on October 27, 2020, to return by 9:00 a.m., on October 29, 2020, to attend the funeral. The burial service will take place on November 7, 2020, in Warrenton, North Carolina. The Defendants ask to be released at 2:00 p.m., on November 6, 2020, and to return to custody by 9:00 a.m., on November 8, 2020, following the burial. They state that family members will pick them up and return them to the detention center. Alternatively, the Defendants state their family will reimburse the United States Marshals Service for transporting them to and from the funeral on October 28, 2020.

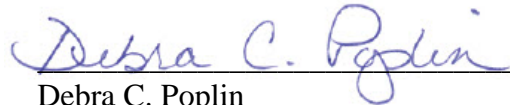
Unfortunately, the undersigned finds that the requested release, either unescorted or in the custody of the United States Marshals Service, must be denied. The Defendants are charged [Doc. 95], along with thirteen named codefendants and unnamed “others,” with conspiring to distribute and possess with intent to distribute cocaine (Count One) and conspiring to commit money laundering (Count Three) from July 2018 to May 1, 2019. Defendant Fitts is also charged with possession of a firearm in furtherance of drug trafficking (Count Two). Following a detention hearing on July 22, 2019, the undersigned found Defendant Fitts to be a danger to the community and a flight risk [Doc. 84]. Knoxville Police Department Task Force Officer Bruck Conkey testified at the detention hearing that intercepted telephone conversations revealed that Defendant Fitts advised Defendant Thomas with regard to financing and selling large quantities of cocaine. The drugs were transported to Knoxville from Douglasville, Georgia, which is the location of the Defendants’ mother’s funeral. A kilogram of cocaine, over \$437,000, money-counters, thirty-seven cellular telephones, and a firearm were found in a search of Defendant Fitts’s residence. Defendant Fitts’s extensive criminal history includes crimes of violence. For these reasons, the temporary release of Defendants Fitts and Thomas raises serious concerns for the Court with regard to the safety of the community.

Additionally, the Court has consulted with the United States Marshals Service and has been informed that, the transport and securing of the Defendants from Kentucky to Georgia and back cannot be accommodated due to the strain on manpower for the Marshals. Thus, the Emergency Joint Motion for Unescorted Funeral Furlough [**Doc. 372**] is **DENIED**. The Marshals Service has informed the undersigned that the Laurel County Detention Center is willing to accommodate the Defendants’ viewing of the funeral electronically. If the funeral will be live streamed, the Defendants’ family must contact the Detention Center in advance to

confirm that the technology is compatible with the facility's equipment and to provide the necessary information. Defense counsel are **DIRECTED** to inform the Defendants and their family members of the Court's ruling as soon as possible.

IT IS SO ORDERED.

ENTER:

A handwritten signature in blue ink, reading "Debra C. Poplin", is written over a horizontal line.

Debra C. Poplin
United States Magistrate Judge